

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

VICTOR APODACA,

Plaintiff,

v.

Case No. 13-cv-0113 JB/SMV

**STATE OF N.M. ADULT
PROBATION AND PAROLE, et al.,**

Defendants.

ORDER TO CURE DEFICIENCY

Plaintiff submitted a civil rights complaint. The Court determines that Plaintiff's filing is deficient as described in this order. Plaintiff is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

 X No filing fee (\$350 civil) has been received.

II. Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) X is not filed
- (2) is missing affidavit
- (3) is missing certified copy of prisoner's inmate account statement for the 6-month period immediately preceding this filing
- (4) is missing required financial information
- (5) is missing an original signature by the prisoner
- (6) is not on proper form (must use current form)
- (7) names in caption do not match names in caption of complaint, petition or habeas application
- (8) An original and a copy have not been received by the Court. Only an original has been received.
- (9) other _____

III. Complaint, Petition or Application:


- (1) ___ is missing
- (2) ___ is not on proper form (must use our form Rev. 5/96)
- (3) ___ is missing an original signature by the prisoner
- (4) ___ is missing page nos. ___
- (5) ___ uses et al. instead of listing all defendants/respondents
- (6) ___ An original and a copy have not been received by the Court. Only an original has been received.
- (7) ___ Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) ___ names in caption do not match names in text
- (9) ___ other _____

Papers filed in response to this order must include the civil action number (Case No. 13-cv-113 JB/SMV) of this case. Failure to cure the designated deficiencies within 30 days from the date of this order may result in dismissal of this action without further notice.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff cure the deficiencies designated above within 30 days from the date of this order;

IT IS FURTHER ORDERED that the Clerk is directed to mail to Plaintiff, together with a copy of this order, the following forms: two copies each of an Application to Proceed Without Prepaying Fees or Costs and Financial Certificate.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge